

PTO/SB/31 (08-03)

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<p>I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on September 10, 2003</p> <p><i>P.K. Legard</i> Signature</p> <p>Typed or printed name <u>Paul K. Legard</u></p>	<p>In re Application of <u>David B. Weiner et al.</u></p> <table border="1"> <tr> <td>Application Number 09/888,880</td> <td>Filed June 26, 2001</td> </tr> <tr> <td colspan="2">For EXPRESSION SYSTEMS FOR CLONING TOXIC GENES</td> </tr> <tr> <td>Art Unit 1638</td> <td>Examiner M. Marvich</td> </tr> </table>			Application Number 09/888,880	Filed June 26, 2001	For EXPRESSION SYSTEMS FOR CLONING TOXIC GENES		Art Unit 1638	Examiner M. Marvich
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<p>Applicant hereby appeals to the Board of Patent Appeals and Interferences from the decision of the examiner.</p> <p>The fee for this Notice of Appeal is (37 CFR 1.17(b)) <u>\$ 320.00</u>.</p> <p><input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. Therefore, the fee shown above is reduced by half, and the resulting fee is: <u>\$ 160.00</u>.</p> <p><input type="checkbox"/> A check in the amount of the fee is enclosed.</p> <p><input type="checkbox"/> Payment by credit card. Form PTO-2036 is attached.</p> <p><input type="checkbox"/> The Director has already been authorized to charge fees in this application to a Deposit Account. I have enclosed a duplicate copy of this sheet.</p> <p><input checked="" type="checkbox"/> The Director is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. <u>69-1276</u>. I have enclosed a duplicate copy of this sheet.</p> <p><input type="checkbox"/> A petition for an extension of time under 37 CFR 1.136(a) (PTO/SB/22) is enclosed.</p>									
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<p>NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below.</p>									
<p><input type="checkbox"/> *Total of _____ forms are submitted.</p>									

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